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UNITED STATES DISTRICT COURT

NOV 08 2013

for the
 District of Maryland

AT BALTIMORE
 CLERK U.S. DISTRICT COURT
 DISTRICT OF MARYLAND

DEPUTY

United States of America
 v.

Case No.

13-2671 SAG

Tomas Quijano

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of on or about July 27, 2013 in the county of _____ in the
 _____ District of Maryland, the defendant(s) violated:

Code Section

Offense Description

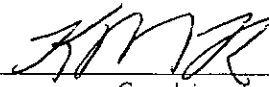
8 USC § 1326

Reentry of a Deported Alien

This criminal complaint is based on these facts:

See affidavit which is attached hereto and incorporated herein by reference.

☒ Continued on the attached sheet.



Complainant's signature

Katie Martin Riesner, Deportation Officer

Printed name and title

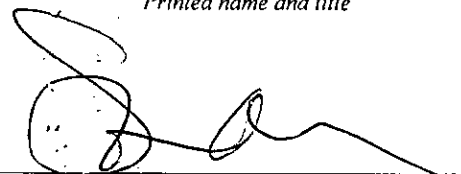
Sworn to before me and signed in my presence.

Date:

November 8, 2013

City and state:

Baltimore, MD



Judge's signature

Stephanie A. Gallagher, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT COMPLAINT

I, Deportation Officer Katie Martin Riesner, being first duly sworn, hereby depose and state as follows:

PURPOSE OF THE AFFIDAVIT

1. This affidavit is made in support of a criminal complaint and arrest warrant for TOMAS QUIJANO ("QUIJANO"), aka Tomas Quijano SANCHEZ, date of birth **/**/1980, for violations of Title 8, United States Code, § 1326 (Reentry of a Deported Alien).

AGENT BACKGROUND

2. Your affiant is a law enforcement officer of the United States within the meaning of Section 2510(7) of Title 18, United States Code; that is, your affiant is an officer of the United States who is empowered by law to conduct investigations of and to make arrests for offenses enumerated in Titles 18 and 8 of the United States Code.

3. Your affiant has been a Deportation Officer at Immigration and Customs Enforcement ("ICE"), Department of Homeland Security in Baltimore, Maryland since 2012. Your affiant is a graduate of the Federal Law Enforcement Training Center Immigration Officer Training Program. Your affiant is currently assigned to the Criminal Alien Program for ICE Enforcement and Removal Operations in the Baltimore Field Office and has completed numerous immigration investigations to include re-entry after removal, possession of a counterfeit naturalization certificate, election fraud and theft of government services. Your affiant has conducted physical surveillances, executed search warrants, and secured other relevant information using other investigative techniques.

4. The statements in this affidavit are based in part on information provided by other law enforcement officers and witnesses, and on my experience and background as a Deportation

Officer. Since this affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that violations of Title 8, United States Code, § 1326 (Reentry of a Deported Alien) has occurred.

PROBABLE CAUSE

5. Records on file with ICE revealed that QUIJANO, a citizen of Mexico, illegally entered the United States illegally at some point prior to October 2012, at an unknown place.

6. On October 4, 2012, QUIJANO was convicted of Sex Offense Third Degree, a felony, in the Circuit Court for Anne Arundel County, Maryland, and sentenced to 5 years' incarceration, with all but six months suspended.

7. On November 26, 2012, QUIJANO was ordered removed from the United States by an immigration judge in Baltimore, Maryland.

8. On December 7, 2012, QUIJANO was removed to Mexico afoot via the Brownsville, Texas port of entry. On the same day documentation regarding removal (Form I-205) and the penalty for reentry (Form I-294) was served on QUIJANO. QUIJANO placed his fingerprint on both the Form I-205 (issued November 29, 2012) and Form I-294 (issued November 29, 2012).

9. At some point prior to July 27, 2013, QUIJANO unlawfully reentered the United States without the permission of the Department of Justice or the Department of Homeland Security.

10. On July 26, 2013, QUIJANO was arrested in Anne Arundel County, Maryland for Driving While Under the Influence of Alcohol and Driving Attempting to Drive Motor Vehicle

on Highway Without Required License. On or about July 27, 2013, QUIJANO was located in the Anne Arundel County Detention Center. Representatives of the ICE Law Enforcement Support Center learned that QUIJANO was an alien who had been previously deported and placed a detainer on QUIJANO at the Anne Arundel County Detention Center.

11. On November 4, 2013 QUIJANO was released from the Anne Arundel County Detention Center and was taken into ICE custody and processed for removal. ICE records indicated that QUIJANO had been removed from the United States on December 7, 2012 after having sustained a felony conviction. On November 4, 2013 an I-205, Warrant of Removal was issued.

12. On November 4, 2013 QUIJANO was *Mirandized* and admitted in a sworn statement that he had been previously deported to Mexico, and that he did not have permission to re-enter the United States.

13. On November 4, 2013 QUIJANO's fingerprints were taken and submitted to the Automated Biometric Identification System (IDENT) and were a match to the person previously removed from the United States.

CONCLUSION

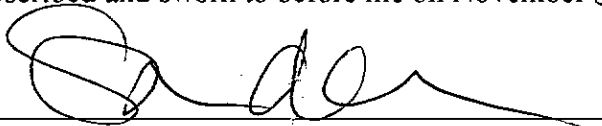
14. Based on the foregoing, your affiant respectfully submits that there is probable cause to believe that on or about July 27, 2013, in the District of Maryland, Tomas QUIJANO, date of birth **/**/1980, committed a violation of Title 8, United States Code, § 1326 (Reentry by a Deported Alien).

Respectfully submitted,



Katie Martin Riesner
Deportation Officer
Immigration and Customs Enforcement
Department of Homeland Security

Subscribed and sworn to before me on November 8, 2013.



The Honorable Stephanie A. Gallagher
UNITED STATES MAGISTRATE JUDGE